IV

19 42 **File No.** Nurses II/42

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Legal **DEPARTMENT**

B **BRANCH**

p 12(1)

Subject:—

Rules and Notifications

under the

Bombay Nurses, Midwives and

Health Visitors Registration

Act, 1935.

File No. Nurses II/42

Std. Sectt. Slip 24 B e.

41-B

C O N T E N T S.

Legal Department. File No. Nurses II/42

Sr. No.	Compilation No.	Subject	Pages
		Bom. Nurses. Midwives and Health Visitors Registration Act, 1935.	
1-	U.R. to G.D.No.1425 dt. 17-2-42.	Sec.22- Notfin. under	1-4
2.	G.R.G.D.No.3977/33 ~~&~~ and G.N.G.D.No. 3977/33 dt. 10-3-42-	Sec. 22-Notfin under ~~leader-~~	5-8
3.	G.R.& G.N.G.D.No. 3977/33 dt.12-3-42	Sec. 23(1)-Amendment to Bye laws-	9-12
4.	G.R.& G.N.G.D.No. 3987/33 dt. 2-3-56	Sec.22- Amendment to Rules of 1935.	13-26
5.	U.R. to G.D.No. 4767 dt. 10-6-42.	Sec. 23(1) Notfn. under	~~42-44~~ 27-32
6.	U.R.to G.D.No. 4909 date 15-6-42	Sec. 22. Notfn. under	33-42
7.	G.R.& G.N.G.D.No 3977/33 dated 8-5-42.	Sec. 22- Notfn. under	43-46
8.	G.R.& G.N.G.D.No. 3977/33 dated 29-10-42.	Sec. 22. Notification under	47-50.

M.A.K.

27-4

4/5

NOTIFICATION.

General Department.

Bombay Castle, February 1942.

The Bombay Nurses, Midwives and Health Visitors Registration Act, 1935.

No. 3977/33:- The following draft of a notification which it is proposed to issue in exercise of the powers conferred by section 22 of the Bombay Nurses, Midwives and Health Visitors Registration Act, 1935 (Bom. VII of 1935.), is published as required by sub-section (1) of the said section 22, for the information of all persons likely to be affected thereby, and notice is hereby given that the said draft will be taken into consideration by the Government of Bombay on or after ..... 1942.

To be filled in

DRAFT NOTIFICATION.

In exercise of the powers conferred by section 22 of the Bombay Nurses, Midwives and Health Visitors Registration Act, 1935(Bom. VII of 1935), the Government of Bombay is pleased to amend the Bombay Nurses, Midwives and Health Visitors' Registration Rules, 1935, published in Government Notification in the General Department Notification in the General Department No. 909/33, dated the 1st August 1935, as follows,namely: -

For sub-rule (1) of rule 21 of the said rules, the following shall be substituted, namely:-

"(1) The curriculum for a probationer training as a midwife shall cover a period of-

(a) nine months, if the candidate has been registered, or is entitled to be registered, as a nurse, or has appeared and failed either at the final M.B.B.S. or L.C.P.S. Examination of Bombay,
(b) fifteen months, if the candidate has passed the examination in General Nursing , Part 'I of the Council, and
(c) in any other case, one year and a half.
During such period, the Traning Indtitution may grant ordinary leave, in the case of a candidate required to taken training for nine months, for a period not exceeding fifteen days and in the case of any other candidate, for a period not exceeding thirty days, In addition to such ordinary leave, the training Institution may grant sick-leave not exceeding fifteen days to any candidate provided that such candidate agrees to undergo sonn after the prescribed examination for midwives in which she has appeared is completed, additional training for theperiod of the sick-leave granted to her."

By order of the Governor of Bombay ,

Secretary to Government.

S.A.K.

26-4-

Office of the R.L.A.

A revised draft notification is sent herewith.

Sd/- P.N.Moos.

16-2

Remembrancer of Legal Affairs.

U.R. to G.D.,No. 1415, dated the 17th February 1942.

S.A.K.

27-4

Office of the R.L.A.

A revised draft notification is appended.

2. It would be more appropriate to insert the proposed by-laws in a separate Part XII-A after by-law 50 and to number by-laws 51 to 54 under the heading 'Miscellaneous' as Part XIII . The revised draft provides accordingly.

3. Draft by-law 56, Revised draft by-law 50-B.- It is presumed that the intention is that the registered persons are allowed to use their full designation or initial letters of their designation on the sign boards and door plates. The paragraphs of the draft by-law have been suitably rearranged in separate clauses in the revised draft to make this clear.

4. Draft by-law 57; Revised draft by-law 50C:- There is already provision for badges in existing by-law 51 and Schedule IV. The draft by law has therefore been recast.

5- Draft by law 58:- The G.D. draft by-law has been split up into two separate by-laws 50-D and 50-E. The reference to "Health Officer" requires to be cleared. Presumably it is the Municipal Health Officer who is intended. If so this may be made clear by reference to Municipal Acts, Similarly "other authority appointed " is vague; it should be clear who is to appoint, and what the authority is intended to do after receipt of the reports. The administrative department will no doubt have consulted the municipalities or ot er local bodies in regard to the function of the Health Officer.

6. Draft by-law 60 :- The G.D. draft by-law has been split up into two separate by-laws 50-G and 50-H .

7- Draft by-law 62:- The Board s power to make by-laws under section 23(1)(h) includes a power to prescribe a reasonable pecuniary penalty for breach thereof. (See Craies on Statutes Edition 4, page 230 , Maxwell on Statutes Ed. 8, page 309). But the causes for which names of persons registered under the Act can be removed can be prescribed only by rules made under section

S.A.K.

27-4

22(2)(e) and not by by-laws. Hence draft by-law 62 is deleted. If it is intended that a breach of any by-law should be punishable by removal of the offender's name from the register, it would be necessary to add an Explanation to rule 13 to the effect that the word malpractice includes a breach of any by-law in Chapter XII-A.

O.C. P.N.M.
9-6

Remembrancer of Legal Affairs.

U.R. to G.D. No. 4767, dtd the 10th June 1942 .

S.A.K.
27-4

NOTIFICATION.

General Department.

Bombay Castle, 1942.

No. :- The following amendments to the Bombay Nurses, Midwives and Health Visitors Registration By-laws, 1935, made by the Bombay Nurses, Midwives and Health Visitors Council under sub-section (1) of section 23 of the Bombay Nurses, Midwives and Health Visitors Registration Act, 1935(Bom. VII of 1935), having been confirmed by the Government of Bombay under sub-section (2) of the said section, are hereby published for general information as required by sub-section (3) of the said section.

1. After by-law No. 50 of the said by-laws the following heading and by-laws shall be inserted, namely:-

"Part XII - A

Practice of their profession by Registered persons.

50-A No registered person shall-

(a) solicit private practice in person or by advertisement in newspapers or journals or by placards or by distribution of circulars, tin cards, handbills or by any other means, provided that this prohibition shall not apply to presentation of cards by registered persons to any practitioner registered under the Bombay Medical Act, 1912 or the Bombay Medical Practitioners' Act, 1938.

(b) publish or cause to be published in any newspaper or hournal anyy report of cases or any letter of thanks received from any patient, provided that reports of cases may be punlished in a professional journal with the previous consent of the doctor in chagge of the case.

50-B (1) The following designations only

shall be used by registered persons, namely:-

(a)	By those registered	in Part	A of the re-gister	-Registered General Nurse, Bombay.
(b)	-do-	B	-do-	- Registered Male Nurse, Bombay
(c)	-do-	C	-do-	-Registered Nurse for Women & Children Bombay.
(d)	-do-	D	-do-	-Registered Midwife, Bombay.
(e)	-do-	D	-do-	RRegistered Assistant Midwife, Bombay.
(f)	-do-	E	-do-	-Registered "ealth Visitor, Bombay.

(2) A registered nurse, midwife, Assistant midwife, or health visitor may, if he or she so desires, use in respect of registration the letters "R.N.(Bombay)", " R.M.(Bombay)", "R.Asstt. M(Bombay)" or "R.H.V.(Bombay)", respectively but the use of any other letters indicating his or her qualifications, except the letters of the degrees of diplomas obtained from other recognised bodies, is not permitted.

(3) Sign boards or door plates containing the names and qualifications of registered persons may not bear any designation otherwise than as permitted under this by-law.

50-C Every registered person, while on duty, shall wear the badge specified in Schedule IV.

50-D All cases of infections or contagious diseasees attended by a registered person shall be reported by him or her without delay to the Health Officer of any other authority appointed for receiving such reports.

50-E No. registered nurse in attenda-nce on a case of infectious diseases shall simultaneously taken up a case requiring general nursing or attend a labour case.

50-F. All cases of birth attended by a registered person shall be reported by him or her without delay to the Health Officer of any other authority appointed for receiving such reports.

S.A.K.
27-4

50-G. No registered person shall in the practice of his or her profession, issue a medical certificate or a certificate of death or of still birth, or otherwise assume the role of a medical practitioner.

50-H. (1) A registered nurse who is not a registered midwife shall not take up a midwifery case and registered mid-wife or assistant midwife who is not a registered nurse shall not take up a nursing case.

(2) A registered nurse for women and children shall not nurse a male case.

50-I A registered person shall not employ an unregistered person as a substitute."

2. For the heading "Miscel/aneous" before by-law 51 the following shall be substituted, namely:-

"Part XIII
Miscellaneous."

By order of the Governor of Bombay,

Joint Secretary to Government.

S.A.K.
27-4

Office of the R.L.A.

1. Draft Notification I at pp. 21-27 ante:- A revised draft notification is sent herewith.

(a) The new provision for advanced Diploma for Midwives should come in as a new rule before rule 22 and not after it. It has therefore been inserted as new rule 21 - B.

(b) Similarly, the rules for the proposed examination to be added in Schedule IV should come after "(4) Examination for Midwives " and provision has been made accordingly.

(c) Consequential amendments would also appear necessary in rule 7(1) providing for a part of the Regist er containing names --- of persons who have passed this advanced Examination, and in Schedule IV, (1)General Rules, in rule 8 providing for a certificate of passing the examination and in rule 12, para. 2, providing for keeping fresh additional term, if necessary, on failure G.D. should examine the point.

2. Draft Notification II at pp. 29-30 ante:- A revised draft notification is sent herewith. Consequential amendments appear to be necessary in by-law 30 providing for fees for the oral and practial examinations for the Diplomas and in rule 20 in Schedule II allotting marks for the papers and examinations for the Diploma. G.D. should examine the point.

O.C. P.N.M.

15-6

Remembrancer of Legal Affairs.

U.R. to G.D.,No. 4909, dated the 15th June 1942.

S.A.K.
27-4

Notification.

General Department.
Bombay Castle, 1943.

BOMBAY NURSES, MIDWIVES AND HEALTH VISITORS REGISTRATION ACT, 1935.

No.3977/33(a):- The following amendments to the Bombay Nurses, Midwives and Health Visitors Registration by-laws, 1935, made by the Bombay Nurses Midwives and Health Visitors Council Under sub-section (1) of section 23 of the Bombay Nurses Midwives and Health Visitors Registration Act, 1935 (Bom. VII of 1936)have been confirmed by the Government of Bombay under sub-section (2) of the said section and they are hereby published for general information as required by sub-section (3) of the said section :-

In part II of Schedule I to the said by-laws

(1) In clause 6, after the second proviso the following new proviso shall be inserted, namely:-

"Provided further that in an institution recognised for training pupils for the Advanced Diploma for Midwives provision of boarding and lodging for such pupils shall not be made obligatory." ;

(2) after the Special Conditions for complete Training School for Assistant Midwives, the following new conditions shall be added, namely:-

"SPECIAL CONDITIONS FOR INSTITUTIONS APPROVED FOR TRAINING OF PUPILS FOR THE ADVANCED DIPLOMA FOR MIDWIVES.

No institution shall be approved by the Council for training pupils for the Advanced Diploma for Midwives, unless:-

(1) the staff, material and facility for training and supervision are, in the opinion of the Council, adequate for training the number of pupils permitted by the Council;

(2) it has an established Domiciliary Midwifery Service of its own or in association with another institution;

~~(3)xxxx